

Remarks/Arguments:

This amendment accompanies a Request for Continued Examination. In reply to the Office Action of October 16, the claims are being amended as per the enclosed set of amended claims.

Status of Claims

The Examiner has indicated that claims 3 to 9 have been examined. No objection has, however, been raised to the subject-matter of claim 3.

Response to Amendments/Arguments

The Examiner has commented that the claimed invention fails to define that the printing and scanning operations are performed in a common apparatus. In response to this comment, the claimed invention has been amended to define expressly that a mail piece is fed along a feed bed and that the printing and scanning operations are performed on the fed mail piece.

Claim Rejections – 35 USC 102

The Examiner is alleging that the subject-matter of claims 4 to 6 and 8 is anticipated by the disclosure of O'Callaghan *et al* (US-6311892).

It is presumed that the Examiner intended also to object that the subject-matter of claim 3 is anticipated by the disclosure of O'Callaghan *et al*, as claims 4 and 5 depend from claim 3.

It is submitted that the subject-matter of the independent claims (claims 3, 6 and 8) is clearly distinguished over the disclosure of O'Callaghan *et al*.

Claims 3 and 6 define a method which comprises the steps of scanning a band on a mail piece being fed along a feed bed to detect for a sequence of transitions between areas of light and dark reflectance within the band, and generating an indication of a presence of an imprint of a postal indicium on detection of a transition succeeding a predetermined number of initial transitions at the start of the sequence of transitions.

Claim 8 defines the counterpart apparatus for imprinting postal indicia on mail pieces, and comprises a first sensor for detecting the sequence of transitions along a band of a mail piece being fed along a feed bed, and means operative to generate the indication of a presence of an imprint of a postal indicium on detecting a signal corresponding to a transition occurring after a predetermined number of transitions.

O'Callaghan *et al* makes no disclosure or suggestion of the method or apparatus as claimed.

The Examiner has referenced a number of passages in O'Callaghan *et al* which mention image processing means for the recognition of indicia and printing means for the printing of mail piece identifiers, but, contrary to the claimed invention, the image processing means does not scan the identifiers as printed by the printing means, but rather existing indicia, which are entirely separate and unrelated to the printed identifiers.

The system of O'Callaghan *et al* includes a printer (104) for printing identification information on each mail piece, and a camera (105) for scanning and verifying barcodes. However, contrary to the claimed invention, the camera (105) is operative to scan an existing barcode prior to operation of the printer (104) [see, for example, column 4, lines 36 and 37].

The system O'Callaghan *et al* also includes a barcode scanner (205), but the scanner (205) scans information on the trays which contain the mail pieces, and not the mail pieces in the manner as required by the claimed invention. The present invention is not concerned with trays and tray labels.

The Examiner has indicated, presumably in relation to the subject-matter of claim 6, that "... it is inherent that at some juncture the mailpieces were "fed" to an apparatus in order to apply or print said indicium...". This is not the case. There is nothing in O'Callaghan *et al* which suggests the feeding of mail pieces past a print head to print a postal indicium. It is important to understand that O'Callaghan *et al* is directed to an automatic system for verifying articles which already contain indicia thereon [see, for example, the title]. In O'Callaghan *et al*, the scanned postage indicia are postage indicia which already exist on mail pieces when supplied to the described verification system, and not an imprint which is printed on a mail piece while being fed on a feed bed, at which feed bed the scanning is also performed, in the manner of the claimed invention.

This notwithstanding, there is no disclosure or suggestion in O'Callaghan *et al* of the generation of an indication of a presence of an imprint of a postal indicium on detecting a transition following a predetermined number of transitions, as required by the claimed invention. In this regard, it is important to understand that the claimed invention is not merely directed to the detection of light and dark transitions, but the detection of a transition following a predetermined number of transitions. This is entirely different. As described in the specification for this application [page 7, line 31 to page 8, line 7], the purpose of this mode of detection is to avoid false indications in the detection of an imprint of the postal indicium.

In the system of O'Callaghan *et al*, there is no disclosure or suggestion of the operation of the camera (105) to detect for a sequence of transitions between areas of

light and dark reflectance within a band, and the generation of an indication of a presence of an imprint of a postal indicium on detection of a transition succeeding a predetermined number of initial transitions at the start of the sequence of transitions, in the manner as required by the claimed invention. In the system of O'Callaghan *et al*, each mail piece is scanned in its entirety to acquire an image of the mail piece and objects are extracted from the acquired image using image processing recognition software [see, for example, column 4, lines 52 to 57]. This mode of operation is entirely different to that of the claimed invention.

Accordingly, it is submitted that the subject-matter of the independent claims (claims 3, 6 and 8) is patentably distinguished over the disclosure of O'Callaghan *et al*.

As regards the dependent claims (claims 4 and 5), it is submitted that these claims are dependent upon an allowable independent claim (claim 3), and, as such, are themselves allowable.

Claim Rejections – 35 USC 103

Claim 7

The Examiner is alleging that the subject-matter of claim 7 is unpatentable over O'Callaghan *et al* in view of Michel *et al* (US-4141492).

It is submitted that claim 7 depends from an allowable independent claim (claim 6), and, as such, is itself allowable. This notwithstanding, the subject-matter of claim 7 is independently patentably distinguished over the disclosures of O'Callaghan *et al* and Michel *et al* when taken in combination.

Claim 7 defines the step of stopping the feeding of further mail pieces past the print head in the event that no postal indicium is detected on the fed mail piece.

As regards Michel *et al*, it is firstly submitted that this document relates to an entirely unrelated field of art to that of the claimed invention, namely, the art of bookbinding, and the skilled person would have had no conceivable motivation to consider disclosures from this field of art.

The Examiner has indicated that the abstract of Michel *et al* discloses the application of postage indicia in the verification of articles. This is not the case. Michel *et al* makes no disclosure to the use of postage indicia, but rather the identification of the signatures (21) of a book from indicia (18) on the backbones of the signatures (15). The indicia (18) are not postage indicia.

This notwithstanding, Michel *et al* fails to disclose or suggest the step of stopping the feeding of further items, namely, signatures, past a print head in the event that no indicium is detected on an item. Michel *et al*, similarly to O'Callaghan *et al*, fails to disclose or suggest the feeding of items past a print head.

Accordingly, it is submitted that the subject-matter of claim 7 is patentably distinguished over the disclosures of O'Callaghan *et al* and Michel *et al* when taken in combination.

Claim 9

The Examiner is alleging that the subject-matter of claim 9 is unpatentable over O'Callaghan *et al* in view of Branecky *et al* (US-3935429).

It is submitted that claim 9 depends from an allowable independent claim (claim 8), and, as such, is itself allowable. This notwithstanding, the subject-matter of claim 9 is independently patentably distinguished over the disclosures of O'Callaghan *et al* and Branecky *et al* when taken in combination.

Claim 9 requires *inter alia* a second sensor, which is located upstream of the first sensor and between the first sensor and a printing head of the printing means, and acts as a reset sensor which is operatively linked to a counter for counting the number of the first signals from the first sensor, and configured to detect a leading edge of each fed mail piece and produce a signal to reset the counter.

The Examiner has cited Branecky *et al* as disclosing the use of a counter in the manner as required by the claimed invention. This is not the case.

Branecky *et al* discloses the use of a counter which counts timing pulses from the encoder reader (56) [column 5, lines 18 to 21], and is reset on detection of the first data bit from the scanner reader (62) [column 5, lines 31 to 33].

Contrary to the Examiner's allegation, this configuration of Branecky *et al* is not that of the claimed invention, in that *inter alia* the scanner reader (62), as the second or reset sensor of the claimed invention, is not located upstream of the edge detector (60), as the other, first sensor of the claimed invention.

Accordingly, it is submitted that the subject-matter of claim 9 is patentably distinguished over the disclosures of O'Callaghan *et al* and Branecky *et al* when taken in combination.

Respectfully submitted,

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